



CLERK, U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS

ENTERED

THE DATE OF ENTRY IS ON
THE COURT'S DOCKET

The following constitutes the ruling of the court and has the force and effect therein described.

Signed October 26, 2022

A handwritten signature in black ink, appearing to be "Edward" followed by a stylized flourish.

United States Bankruptcy Judge

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

**In re:
TOMIKA WILLIS
(DEBTOR)**

**Case No. 22-41853-ELM-13
(Chapter 13)**

**AH4R MANAGEMENT-TX LLC AS
AGENT FOR AMH 2014-3 BORROWER,
LLC
(Movant)
Vs
TOMIKA WILLIS
(Respondents/Debtor)**

**AGREED ORDER CONDITIONING AUTOMATIC STAY CONCERNING THE LEASE
PREMISES LOCATED AT 6249 RYAN CREEK RD., FT. WORTH, TX 76179)
(Reference Docket No. 15)**

Came on to be considered the Motion for Relief Stay filed by **AH4R MANAGEMENT TX, LLC** as agent for **AMH 2014-3 BORROWER, LLC**, "Movant" herein, and the responses thereto, and after considering the evidence, the Court is of the opinion that the Motion should be granted, subject to the following terms. Therefore, it is

ORDERED that the automatic stay of 11 U.S.C. § 362(a) shall be modified as such:

IT IS HEREBY ORDERED that the **TOMIKA WILLIS, “Debtor” herein** shall resume timely making the November 1, 2022, post-petition lease payment due in the amount of \$2,025.00 plus all other applicable fees or charges inclusive of the monthly gas, sewer and water charges as well as any applicable late charges as due and pay each subsequent month due thereafter by the 5th of each month pursuant to the terms of residential lease agreement between the Debtors and Movant on the lease premises located at **6249 RYAN CREEK RD., FT. WORTH, TX 76179**, “Property” herein. Debtor and Debtor’s Counsel are advised that the Debtor’s current lease will expire on May 15, 2023, at which time the lease maybe converted to a month-to-month lease and/or the execution of a new lease agreement subject to applicable rent increases.

IT IS HEREBY FURTHER ORDERED that the Debtor shall amended her Chapter 13 Plan to provide for the arrears due in the amount of \$7,033.49, (\$6,406.49 pre-petition lease payments and applicable costs plus \$629.00 in pre-petition eviction legal fees and costs); plus \$700.00 in legal fees and filing fee cost for the Motion for Relief from Stay in the amount of \$183.00 totaling \$7,916.49 to paid by the Chapter 13 Trustee in equal installments of \$989.56 starting in month (2) of the plan through month (9) of the Plan. .

IT IS HEREBY FURTHER ORDERED that the Debtor shall Movant on or before October 27, 2022, the sum of \$4,486.47 which represents the post-petition lease payments of \$4,050.00 for the September 2022 through October 2022 plus applicable utility fees in the amount of \$436.47.

IT IS HEREBY FURTHER ORDERED that the Debtor shall always maintain proper renter’s insurance on the Property as required.

IT IS HEREBY FURTHER ORDERED that if the Debtor defaults in the terms of aforementioned payments and/or any future lease payment due between the Debtor and Movant; Chapter 13 Plan payments as due per the confirmed Plan; and/or maintain the required renter’s insurance, then Movant shall send the Debtors a (10) day Notice of Default to cure the default due by mailing a Notice to the Debtor at 6249 RYAN CREEK RD., FT. WORTH, TX 76179 and to Debtor’s Counsel at Jim Morrison, Allmand Law Firm, PLLC, 860 Airport Frwy #401, Hurst, TX 76054.

IT IS HEREBY FURTHER ORDERED that if the Debtors fail to cure such default within (10) days of the date of Notice of Default and/or on the (4rd) incurrence of any future default that the Automatic Stay and/or any applicable Co-Debtor Stay shall terminate.

IT IS HEREBY FURTHER ORDERED that upon the termination of the Automatic Stay due to the Debtors' failure to cure any default that **AH4R MANAGEMENT TX, LLC and/or AMH 2014-3 BORROWER, LLC**, its successors in interest, assigns, representatives, and agents shall be permitted to pursue all legal remedies to take possession of the residence located at **6249 RYAN CREEK RD., FT. WORTH, TX 76179.**

END OF ORDER

Approved as to form and content:

/s/ John V. Burger

John V. Burger, Counsel for Movant
Barry and Sewart PLLC
State Bar No.: 03378650 S.D. Tex. Bar No.: 13176
4151 Southwest Freeway #680
Houston, Texas 77027
Telephone: 713-960-9696
Facsimile: 713-9621-4403

/s/ Jim Morrison

Jim Morrison, Counsel for Debtor
Allmand Law Firm, PLLC
SBOT: 14519050
860 Airport Frwy #401
Hurst, TX 76054
Telephone: (214) 265-0123
Facismile (817) 265-1979